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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,928	06/27/2003	Justinc E. Coates	MSFT120218	8690

26389 7590 07/20/2007
CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER

TRAN, HENRY N

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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07/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/607,928

Applicant(s)

COATES ET AL.

Examiner

Henry N. Tran

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the appeal brief filed on 3/1/07, PROSECUTION IS HEREBY REOPENED.

A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

BIPIN H. SHAWALA:



BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trell (U.S. Patent No. 6,909,382) in view of Burrell, IV (U.S. Patent No. 6,184,803).

Regarding claim 1, Trell teaches a method for entering text using a keypad, comprising a number of keys fewer than the number of items in the text to be entered, see Fig. 1, comprising: (a) detecting the actuation of the keys of the keypad; (b) determining if the detected actuation was created by the actuation of one key or the substantially simultaneous actuation of multiple keys; (c) if the detected key actuation was created by the actuation of one key chosen from a group of "1", "2", "3", etc..., entering the item associated with the one key that is respectively chosen from a group of "a", "d", "g", etc..., see Fig. 2; and (d) if the detected key actuation was created by the substantially simultaneous actuation of multiple keys chosen from a group of "1" and "4", "1" and "2", "2" and "5", etc., entering the item associated with the one key that is respectively chosen from a group of "b", "c", "e", etc..., see Fig. 2, and col. 3, lines 43-53. Trell further teaches that the item (letter/symbol/action) in the described embodiment, which is a mobile telephone keypad using Sweden letters, symbols, etc., see Fig. 1, and the two-keys combination described in Fig. 2, is only for illustrated the concept of the invention, different country languages, letters, symbols, etc. can obviously be used, and different two-keys combinations can also be used, see col. 4, lines 46-55; and col. 6, line 65 to col. 7, line 7. However, Trell does not teach the actuation of one key, or simultaneously multiple keys (2 keys) from a group, and entering the respective item associated with the one key, or the multiple keys, respectively chosen from a group as claimed; wherein, and the item of one of the group including backspace function.

Burrell, IV teaches a method for entering text using a keypad, comprising a number of keys fewer than the number of items (alphanumeric characters/symbols/ functions) in the text to be entered, see Fig. 1; wherein, actuation of one key, or simultaneously multiple keys (2 keys) from a group, and entering the respective item associated with the one key, or the multiple keys, respectively chosen from a group; wherein, and the item of one of the group including backspace function (BACKSPACE), see Figs. 5A, 5B, 6A, 6B, and 6C; and col. 7, line 28 to col. 8, line 42. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the backspace item as taught by Burrell, IV, and the variations of different two-keys combinations as taught by Trell and Burrell, IV for producing the groups of items as claimed because this would provide the enhanced input capability and functionality of a small size keyboard or keypad, see Trell, abstract, and col. 6, lines 47-55. By this rationale, claim 1 is rejected.

Regarding claim 2, 4-6, and 11-13, Trell further teaches: (i) the items of text are letters, see Fig. 1; (ii) the keypad comprises a row/column matrix of keys; the keypad comprises a row/column matrix of keys; (iii) the multiple keys are two keys and located side by side, see Figs. 1 and 2; and (iv) Computer-readable media containing computer-executable instructions that, when executed, carry out the method of any one of claims 1-13, see col. 4, lines 13-33.

Regarding claims 3 and 7-10, Burrell, IV further teaches: (i) the items are English language letters, see Fig. 1; (ii) the keypad is a three-row by four column 12-key keypad, see Fig. 1.

Regarding claims 14-25, which comprise a device containing a keypad formed of a plurality of keys oriented in a row/column matrix and other features of claims 2-12, a computer-

executable code for performing the method steps of claim 1, which is similar to claim 13; and are therefore rejected on the same basis set forth in claims 1-13 as discussed above.

Response to Arguments

4. Applicant's arguments with respect to claims 1-25 provided in pages 10-24 of the above-identified appeal brief have been considered but are moot in view of the new ground(s) of rejection discussed above.

5 Applicant's arguments with respect to applicant's embodiments of Figures 2 and 3 provided in the second paragraph of page 11 of the appeal brief indicate that said embodiments are an obvious variation, which could be used as a strong evidence for a rejection of the claimed invention under USC 103(a) as being unpatentable over Trell (U.S. Patent No. 6,909,382).

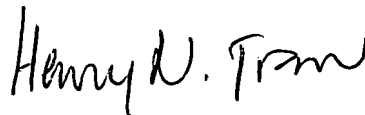
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry N. Tran whose telephone number is 571-272-7760. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H. Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Henry N Tran
Primary Examiner
Art Unit 2629

HT
7/13/06